

## **Attachment E:**

### **Community Development Multi-Family Neighborhood Action Areas**

*The 3 areas are indicated by the shaded areas:  
Ahwanee (9), San Juan (10), and eastern HOLA (11)*

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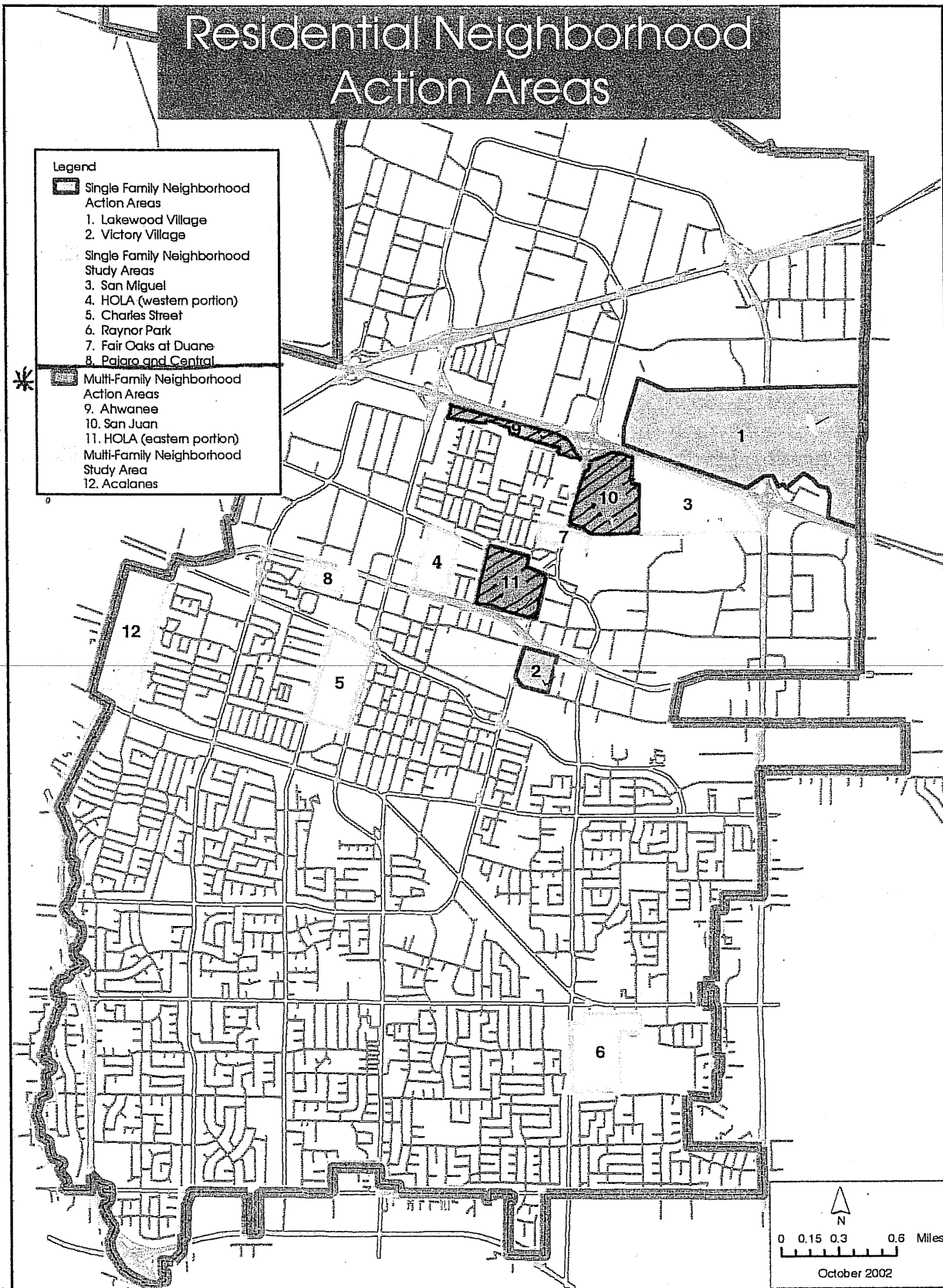


FIGURE 12

## **Attachment F:**

### **Guidelines for Small Lot Development**

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**Policy 1.1.12 Maximum Standards for Small Lot Single Family Residential Developments**

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**PURPOSE:**

This policy is to provide the City and developers a set of guidelines for development on small lots, regardless of the underlying zoning district, with suggested development standards that are definitive and that assist in project evaluation for small lot developments with a PD Combining District. Some of these standards are similar to the requirements of the R-1.5 and R-1.7/PD Zoning District.

**POLICY STATEMENT:**

Suggested minimum development standards for small lot residential developments:

1. Projects with lots of 4,200 square feet or smaller should maintain an overall project (including interior private drives and streets) floor area ratio (FAR) of 50% (a requirement of R-1.5 and R-1.7/PD) or less.
2. Usable open space should total 500 square feet or greater, with dimensions of 15 feet or greater in every direction.
3. The exterior boundaries of a proposed project adjacent to existing residential development should maintain a maximum required second story side yard setback along the side adjacent to the existing homes.

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(Adopted: RTC 98-010 (10/20/1998))

Lead Department: Community Development

## **Attachment G:**

Initial Environmental Study Form

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|  |   |
|--|---|
| Project Title                                    | Zoning Tools to Promote Home Ownership                                  |
| Lead Agency Name and Address                     | City of Sunnyvale<br>PO Box 3707 Sunnyvale, CA 94088-3707               |
| Contact Person                                   | Jamie McLeod  |
| Phone Number                                     | 408-730-7429  |
| Project Location                                 | May apply to various residential sites throughout the City of Sunnyvale |
| Project Sponsor's Name                           | City of Sunnyvale   |
| Address  | 456 W. Olive Ave., Sunnyvale, CA 94088                                  |
| Zoning   | Various locations with Residential uses                                 |
| General Plan                                     | Various locations with Residential uses                                 |
| Other Public Agencies whose approval is required | None  |

**Description of the Project:** This project is a consideration of modifications in City policy and does not relate to a specific project. The study examines zoning tools that would facilitate the conversion to, and development of, ownership housing while still maintaining protection to tenants that could potentially be displaced. Future projects that may be impacted by the results of this study and undergo a discretionary permit process will still involve an environmental review, determining potential impacts on a case-by-case basis.

**Surrounding Uses and Setting:** This Study Issue potentially applies to property throughout the City of Sunnyvale that will involve construction or condominium conversion for residential use.

**EVALUATION OF ENVIRONMENTAL IMPACTS**

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
3. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
4. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
5. "Negative Declaration: Potentially Significant Unless Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section 17, "Earlier Analysis," may be cross-referenced).
6. Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c) (3) (d). In this case, a brief discussion should identify the following:
7. Earlier Analysis Used. Identify and state where they are available for review.
8. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
9. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project
10. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> Aesthetics             | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Public Services                    |
| <input type="checkbox"/> Agricultural Resources | <input type="checkbox"/> Hydrology/Water Quality       | <input type="checkbox"/> Recreation                         |
| <input type="checkbox"/> Air Quality            | <input type="checkbox"/> Land Use/Planning             | <input type="checkbox"/> Transportation/Traffic             |
| <input type="checkbox"/> Biological Resources   | <input type="checkbox"/> Mineral Resources             | <input type="checkbox"/> Utilities/Service Systems          |
| <input type="checkbox"/> Cultural Resources     | <input type="checkbox"/> Noise                         | <input type="checkbox"/> Mandatory Findings of Significance |
| <input type="checkbox"/> Geology/Soils          | <input type="checkbox"/> Population/Housing            |   |

**DETERMINATION: (To be completed by the Lead Agency)**

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared. ☒

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared. ☐

I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required. ☐

I find that the proposed project MAY have a "potential significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed. ☐

I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required. ☐

|              |                   |
|--------------|-------------------|
| Signature    | September 8, 2005 |
|              | Date              |
| Jamie McLeod | City of Sunnyvale |
| Printed Name | For (Lead Agency) |



|   | Potentially<br>Significant<br>Impact | Less than<br>Sig. With<br>Mitigation | Less Than<br>Significant | No Impact                           | Source    |
|---|--------------------------------------|--------------------------------------|--------------------------|-------------------------------------|-----------|
| <b>1. AESTHETICS.</b> Would the project:  |                                      |                                      |                          |                                     |           |
| a. Have a substantial adverse effect on a scenic vista?   | <input type="checkbox"/>             | <input type="checkbox"/>             | <input type="checkbox"/> | <input checked="" type="checkbox"/> | see notes |
| b. Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?   | <input type="checkbox"/>             | <input type="checkbox"/>             | <input type="checkbox"/> | <input checked="" type="checkbox"/> | see notes |
| c. Substantially degrade the existing visual character or quality of the site and its surroundings?   | <input type="checkbox"/>             | <input type="checkbox"/>             | <input type="checkbox"/> | <input checked="" type="checkbox"/> | see notes |
| d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?   | <input type="checkbox"/>             | <input type="checkbox"/>             | <input type="checkbox"/> | <input checked="" type="checkbox"/> | see notes |
| <b>2. AIR QUALITY:</b> Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:  |                                      |                                      |                          |                                     |           |
| a. Conflict with or obstruct implementation of the applicable air quality plan?   | <input type="checkbox"/>             | <input type="checkbox"/>             | <input type="checkbox"/> | <input checked="" type="checkbox"/> | see notes |
| b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation.  | <input type="checkbox"/>             | <input type="checkbox"/>             | <input type="checkbox"/> | <input checked="" type="checkbox"/> | see notes |
| c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?                       | <input type="checkbox"/>             | <input type="checkbox"/>             | <input type="checkbox"/> | <input checked="" type="checkbox"/> | see notes |
| d. Expose sensitive receptors to substantial pollutant concentrations?  | <input type="checkbox"/>             | <input type="checkbox"/>             | <input type="checkbox"/> | <input checked="" type="checkbox"/> | see notes |
| e. Create objectionable odors affecting a substantial number of people?   | <input type="checkbox"/>             | <input type="checkbox"/>             | <input type="checkbox"/> | <input checked="" type="checkbox"/> | see notes |
| <b>3. BIOLOGICAL RESOURCES:</b>   |                                      |                                      |                          |                                     |           |
| a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U. S. Fish and Wildlife Service? | <input type="checkbox"/>             | <input type="checkbox"/>             | <input type="checkbox"/> | <input checked="" type="checkbox"/> | see notes |

|  | Potentially Significant Impact | Less than Sig. With Mitigation | Less Than Significant    | No Impact                           | Source    |
|--|--------------------------------|--------------------------------|--------------------------|-------------------------------------|-----------|
| b. Have a substantially adverse impact on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S Wildlife Service?                          | <input type="checkbox"/>       | <input type="checkbox"/>       | <input type="checkbox"/> | <input checked="" type="checkbox"/> | see notes |
| c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | <input type="checkbox"/>       | <input type="checkbox"/>       | <input type="checkbox"/> | <input checked="" type="checkbox"/> | see notes |
| d. Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites?   | <input type="checkbox"/>       | <input type="checkbox"/>       | <input type="checkbox"/> | <input checked="" type="checkbox"/> | see notes |
| e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?  | <input type="checkbox"/>       | <input type="checkbox"/>       | <input type="checkbox"/> | <input checked="" type="checkbox"/> | see notes |
| f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, other approved local, regional, or state habitat conservation plan?  | <input type="checkbox"/>       | <input type="checkbox"/>       | <input type="checkbox"/> | <input checked="" type="checkbox"/> | see notes |
| <b>4. CULTURAL RESOURCES.</b> Would the project:   |                                |                                |                          |                                     |           |
| a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?  | <input type="checkbox"/>       | <input type="checkbox"/>       | <input type="checkbox"/> | <input checked="" type="checkbox"/> | see notes |
| b. Cause a substantial adverse change in the significance of an archaeological resources pursuant to Section 15064.5   | <input type="checkbox"/>       | <input type="checkbox"/>       | <input type="checkbox"/> | <input checked="" type="checkbox"/> | see notes |
| c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?  | <input type="checkbox"/>       | <input type="checkbox"/>       | <input type="checkbox"/> | <input checked="" type="checkbox"/> | see notes |
| d. Disturb any human remains, including those interred outside of formal cemeteries?   | <input type="checkbox"/>       | <input type="checkbox"/>       | <input type="checkbox"/> | <input checked="" type="checkbox"/> | see notes |
| <b>5. LAND USE AND PLANNING.</b> Would the project:  |                                |                                |                          |                                     |           |
| a. Physically divide an established community?   | <input type="checkbox"/>       | <input type="checkbox"/>       | <input type="checkbox"/> | <input checked="" type="checkbox"/> | see notes |

|   | Potentially<br>Significant<br>Impact | Less than<br>Sig. With<br>Mitigation | Less Than<br>Significant            | No Impact                           | Source    |
|---|--------------------------------------|--------------------------------------|-------------------------------------|-------------------------------------|-----------|
| b. Conflict with an applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | <input type="checkbox"/>             | <input type="checkbox"/>             | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | see notes |
| c. Conflict with any applicable habitat conservation plan or natural communities conservation plan?   | <input type="checkbox"/>             | <input type="checkbox"/>             | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | see notes |
| <b>6. MINERAL RESOURCES.</b> Would the project:   |                                      |                                      |                                     |                                     |           |
| a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?  | <input type="checkbox"/>             | <input type="checkbox"/>             | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | see notes |
| b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?   | <input type="checkbox"/>             | <input type="checkbox"/>             | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | see notes |
| <b>7. NOISE.</b> Would the project result in:   |                                      |                                      |                                     |                                     |           |
| a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?   | <input type="checkbox"/>             | <input type="checkbox"/>             | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | see notes |
| b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?   | <input type="checkbox"/>             | <input type="checkbox"/>             | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | see notes |
| c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?  | <input type="checkbox"/>             | <input type="checkbox"/>             | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | see notes |
| d. A substantially temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?  | <input type="checkbox"/>             | <input type="checkbox"/>             | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | see notes |
| <b>8. POPULATION AND HOUSING.</b> Would the project:  |                                      |                                      |                                     |                                     |           |
| a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?   | <input type="checkbox"/>             | <input type="checkbox"/>             | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | see notes |
| b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?   | <input type="checkbox"/>             | <input type="checkbox"/>             | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | see notes |

|   | Potentially Significant Impact | Less than Sig. With Mitigation | Less Than Significant               | No Impact                           | Source    |
|---|--------------------------------|--------------------------------|-------------------------------------|-------------------------------------|-----------|
| c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?   | <input type="checkbox"/>       | <input type="checkbox"/>       | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | see notes |
| 9. <b>PUBLIC SERVICES.</b> Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:           |                                |                                |                                     |                                     |           |
| a. Schools?   | <input type="checkbox"/>       | <input type="checkbox"/>       | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | see notes |
| b. Police protection?   | <input type="checkbox"/>       | <input type="checkbox"/>       | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | see notes |
| c. Fire protection?   | <input type="checkbox"/>       | <input type="checkbox"/>       | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | see notes |
| d. Parks?   | <input type="checkbox"/>       | <input type="checkbox"/>       | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | see notes |
| e. Other services?  | <input type="checkbox"/>       | <input type="checkbox"/>       | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | see notes |
| 10. <b>MANDATORY FINDINGS OF SIGNIFICANCE</b>   |                                |                                |                                     |                                     |           |
| a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/>       | <input type="checkbox"/>       | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | see notes |
| b. Does the project have impacts that are individually limited, but cumulatively considerable? (Meaning that the incremental effects of a project are considerable when viewed in connection with the effects of the past projects, the effects of other current projects, and the effects of probable future projects)?  | <input type="checkbox"/>       | <input type="checkbox"/>       | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | see notes |
| c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?   | <input type="checkbox"/>       | <input type="checkbox"/>       | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | see notes |

|  | Potentially<br>Significant<br>Impact | Less than<br>Sig. With<br>Mitigation | Less Than<br>Significant            | No Impact                           | Source    |
|--|--------------------------------------|--------------------------------------|-------------------------------------|-------------------------------------|-----------|
| <b>11. GEOLOGY AND SOILS.</b> Would the project:   |                                      |                                      |                                     |                                     |           |
| a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:  | <input type="checkbox"/>             | <input type="checkbox"/>             | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | see notes |
| i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. | <input type="checkbox"/>             | <input type="checkbox"/>             | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | see notes |
| ii) Strong seismic ground shaking?   | <input type="checkbox"/>             | <input type="checkbox"/>             | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | see notes |
| iii) Seismic-related ground failure, including liquefaction?   | <input type="checkbox"/>             | <input type="checkbox"/>             | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | see notes |
| iv) Landslides?  | <input type="checkbox"/>             | <input type="checkbox"/>             | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | see notes |
| b. Result in substantial soil erosion or the loss of topsoil?  | <input type="checkbox"/>             | <input type="checkbox"/>             | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | see notes |
| c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?   | <input type="checkbox"/>             | <input type="checkbox"/>             | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | see notes |
| d. Be located on expansive soil, as defined in Table 18-a-B of the Uniform Building Code (1994), creating substantial risks to life or property?   | <input type="checkbox"/>             | <input type="checkbox"/>             | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | see notes |
| e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?   | <input type="checkbox"/>             | <input type="checkbox"/>             | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | see notes |
| <b>12. UTILITIES AND SERVICE SYSTEMS.</b> Would the project:   |                                      |                                      |                                     |                                     |           |
| a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?  | <input type="checkbox"/>             | <input type="checkbox"/>             | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | see notes |
| b. Require or result in construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?   | <input type="checkbox"/>             | <input type="checkbox"/>             | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | see notes |

|  | Potentially Significant Impact | Less than Sig. With Mitigation | Less Than Significant               | No Impact                           | Source    |
|--|--------------------------------|--------------------------------|-------------------------------------|-------------------------------------|-----------|
| c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?  | <input type="checkbox"/>       | <input type="checkbox"/>       | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | see notes |
| d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?   | <input type="checkbox"/>       | <input type="checkbox"/>       | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | see notes |
| e. Result in a determination by the wastewater treatment provider which services or may serve the project determined that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?   | <input type="checkbox"/>       | <input type="checkbox"/>       | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | see notes |
| f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?   | <input type="checkbox"/>       | <input type="checkbox"/>       | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | see notes |
| g. Comply with federal, state, and local statutes and regulations related to solid waste?  | <input type="checkbox"/>       | <input type="checkbox"/>       | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | see notes |
| <b>13. TRANSPORTATION/TRAFFIC.</b> Would the project:  |                                |                                |                                     |                                     |           |
| a. Cause an increase in the traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? | <input type="checkbox"/>       | <input type="checkbox"/>       | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | see notes |
| b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?   | <input type="checkbox"/>       | <input type="checkbox"/>       | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | see notes |
| c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?  | <input type="checkbox"/>       | <input type="checkbox"/>       | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | see notes |
| d. Substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?  | <input type="checkbox"/>       | <input type="checkbox"/>       | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | see notes |
| e. Result in inadequate emergency access?  | <input type="checkbox"/>       | <input type="checkbox"/>       | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | see notes |

|  | Potentially<br>Significant<br>Impact | Less than<br>Sig. With<br>Mitigation | Less Than<br>Significant            | No Impact                           | Source    |
|--|--------------------------------------|--------------------------------------|-------------------------------------|-------------------------------------|-----------|
| f. Result in inadequate parking capacity?  | <input type="checkbox"/>             | <input type="checkbox"/>             | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | see notes |
| g. Conflict with adopted policies or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?   | <input type="checkbox"/>             | <input type="checkbox"/>             | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | see notes |
| <b>14. HAZARDS AND HAZARDOUS MATERIALS.</b><br>Would the project?  |                                      |                                      |                                     |                                     |           |
| a. Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?   | <input type="checkbox"/>             | <input type="checkbox"/>             | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | see notes |
| b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?   | <input type="checkbox"/>             | <input type="checkbox"/>             | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | see notes |
| c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?  | <input type="checkbox"/>             | <input type="checkbox"/>             | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | see notes |
| d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result would it create a significant hazard to the public or the environment?                                    | <input type="checkbox"/>             | <input type="checkbox"/>             | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | see notes |
| e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/>             | <input type="checkbox"/>             | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | see notes |
| f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?  | <input type="checkbox"/>             | <input type="checkbox"/>             | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | see notes |
| g. Impair implementation of, or physically interfere with, an adopted emergency response or emergency evacuation plan?   | <input type="checkbox"/>             | <input type="checkbox"/>             | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | see notes |
| h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.   | <input type="checkbox"/>             | <input type="checkbox"/>             | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | see notes |

|  | Potentially<br>Significant<br>Impact | Less than<br>Sig. With<br>Mitigation | Less Than<br>Significant            | No Impact                           | Source    |
|--|--------------------------------------|--------------------------------------|-------------------------------------|-------------------------------------|-----------|
| <b>15. RECREATION</b>  |                                      |                                      |                                     |                                     |           |
| a. Would the project increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?  | <input type="checkbox"/>             | <input type="checkbox"/>             | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | see notes |
| b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?  | <input type="checkbox"/>             | <input type="checkbox"/>             | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | see notes |
| <b>16. AGRICULTURE RESOURCES:</b> In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project: |                                      |                                      |                                     |                                     |           |
| a. Convert Prime Farmland, Unique Farmland or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency to non-agricultural use?   | <input type="checkbox"/>             | <input type="checkbox"/>             | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | see notes |
| b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?   | <input type="checkbox"/>             | <input type="checkbox"/>             | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | see notes |
| c. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use   | <input type="checkbox"/>             | <input type="checkbox"/>             | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | see notes |
| <b>17. HYDROLOGY AND WATER QUALITY.</b> Would the project:   |                                      |                                      |                                     |                                     |           |
| a. Violate any water quality standards or waste discharge requirements?  | <input type="checkbox"/>             | <input type="checkbox"/>             | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | see notes |
| b. Substantially degrade groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., production rate of pre-existing nearby wells would drop to level which would not support existing land uses or planned uses for which permits granted)?                    | <input type="checkbox"/>             | <input type="checkbox"/>             | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | see notes |



|   | Potentially<br>Significant<br>Impact | Less than<br>Sig. With<br>Mitigation | Less Than<br>Significant            | No Impact                           | Source    |
|---|--------------------------------------|--------------------------------------|-------------------------------------|-------------------------------------|-----------|
| c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?                              | <input type="checkbox"/>             | <input type="checkbox"/>             | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | see notes |
| d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or surface runoff in a manner which would result in flooding on- or off site? | <input type="checkbox"/>             | <input type="checkbox"/>             | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | see notes |
| e. Create or contribute runoff which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?   | <input type="checkbox"/>             | <input type="checkbox"/>             | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | see notes |
| f. Otherwise substantially degrade water quality?   | <input type="checkbox"/>             | <input type="checkbox"/>             | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | see notes |
| g. Place housing within a 100-year floodplain, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?  | <input type="checkbox"/>             | <input type="checkbox"/>             | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | see notes |
| h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?   | <input type="checkbox"/>             | <input type="checkbox"/>             | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | see notes |
| i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?  | <input type="checkbox"/>             | <input type="checkbox"/>             | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | see notes |
| j) Inundation by seiche, tsunami, or mudflow?   | <input type="checkbox"/>             | <input type="checkbox"/>             | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | see notes |

**Discussion:**

This is a policy document and does not address specific project details. All new construction and condominium conversions require a Use Permit. The "no impact" assessment of most items was based on the determination that potential impacts of future projects will be reviewed on a case-by-case basis during their Use Permit process, which includes environmental review (or determination of an exemption), design review and analysis of the proposed project with regard to existing policies and Code requirements. When applicable, possible exemptions include:

- 1) Existing facilities (Class 1),
- 2) Minor alterations in land use limitation, including setback variances (Class 5), and
- 3) Minor divisions of land that involve 4 or fewer parcels (Class 15).

If the property is not exempt, potential issues associated with this policy document may include:

- 1) Allow increased height limit and number of stories – may impact privacy of neighboring properties, light and aesthetics.
- 2) Reduced setbacks – may impact aesthetics of a site layout.
- 3) Reduced landscaping – may impact aesthetics, usage of neighboring parks, and pervious surface for natural stormwater management.
- 4) Reduced open space – may impact aesthetics, recreational area on the development, usage of neighboring parks, and pervious surface for natural stormwater management.
- 5) Reduced parking – may impact parking capacity and circulation in neighborhood.
- 6) Reduced stormwater requirements – will result in City not being in compliance with regional requirements, and may result in some flooding and in more untreated flow to the San Francisco Bay.
- 7) Waive Below Market Rate (BMR) housing requirements – will result in City not being in compliance with the City's Housing Element and may result in displacement of low-income residents.
- 8) Reduce the Federal and State accessibility requirements – will result in City not being in compliance with Federal and State legal requirements, and will reduce the accessibility for physically disabled persons.
- 9) Increase density – the proposal to "round up" on calculations for R-3 areas may result in a conflict with General Plan by increasing the density in the City and will conflict with the past practice and current policy.

**Other Comments:**

**5. b. LAND USE AND PLANNING:** The purpose of this study is to propose potential modifications to the Zoning Code. Reducing the required open space or landscaping may result in an environmental effort. If the method for calculating density is changed, there may result in an impact on the General Plan through an increase in density throughout the City; however, the impact would be relatively minor as it would mean an incremental increase on projects.

**8. c. POPULATION AND HOUSING:** Converting apartments into separate ownership units through condominium conversion may result in some low-income tenants being displaced if they can not afford to purchase their current residence. This may be addressed through the City's existing Affordable Housing Ordinance which requires Below Market Rate units for each development and to be included as part of conversions. In fact, the conversions may result in more BMR units as the rate is higher (12.5% of total units) for ownership housing than it is for rental housing (10% of units). Staff is not recommending that BMR requirements be waived. This **would** become more than a "less than significant" issue if the BMR requirements were to be waived.

**9. d. PUBLIC SERVICES -- Parks:** A reduction in required open space is likely to result in an increase in the use of public parks.

**10. MANDATORY FINDINGS OF SIGNIFICANCE:** Converting apartments into separate ownership units through condominium conversion may displace tenants. Staff has indicated this as a "less than significant" impact given that staff is **not** recommending a reduction in tenant protections (nor a reduction in buyer protections). If tenant or buyer protections are to be reduced based on this policy review, staff notes that this **would** result in a "potentially significant" or "less than significant with mitigation" and staff would need to conduct further review.

**11. GEOLOGY AND SOILS:** Sunnyvale is located in an earthquake-prone area and all projects are susceptible to the impact of an earthquake. Current Building Code standards incorporate safety measures to address this risk.

**13. e. & f. TRANSPORTATION / TRAFFIC:** Allowing for reduced aisle widths may impact emergency access. And allowing for reduced parking ratios or tandem parking may result in overuse of street parking and may ultimately result in inadequate parking capacity in a neighborhood.

**15. RECREATION:** A decrease in required open space for residential developments may result in an increase in the use of neighborhood parks as the residents may have additional needs for open space that are not accommodated by their home or developed neighborhood. However, allowing for clustering, or denser grouping of buildings with a decrease in required space between buildings, with the same open space requirements may allow for larger portions of unimpeded open space in a given development.

**17. d. & e. HYDROLOGY AND WATER QUALITY:** Reducing landscaping or stormwater management requirements may result in increased flooding or additional sources of polluted runoff to the stormwater systems, which ultimately flow to the Bay.

Jamie McLeod

09/08/2005

Completed By

Date

**City of Sunnyvale General Plan:**

2. Map
3. Air Quality Sub-Element
4. Community Design Sub-Element
5. Community Participation Sub-Element
6. Cultural Arts Sub-Element
7. Executive Summary
8. Fire Services Sub-Element
9. Fiscal Sub-Element
10. Heritage Preservation Sub-Element
11. Housing & Community Revitalization Sub-Element
12. Land Use & Transportation Sub-Element
13. Law Enforcement Sub-Element
14. Legislative Management Sub-Element
15. Library Sub-Element
16. Noise Sub-Element
17. Open Space Sub-Element.
18. Recreation Sub-Element
19. Safety & Seismic Safety Sub-Element
20. Sanitary Sewer System Sub-Element
21. Socio-Economic Sub-Element
22. Solid Waste Management Sub-Element
23. Support Services Sub-Element
24. Surface Run-off Sub-Element
25. Water Resources Sub-Element

**City of Sunnyvale Municipal Code:**

26. Chapter 10
27. Zoning Map
28. Chapter 19.42. Operating Standards
29. Chapter 19.28. Downtown Specific Plan District
30. Chapter 19.18. Residential Zoning Districts
31. Chapter 19.20. Commercial Zoning Districts
32. Chapter 19.22. Industrial Zoning Districts
33. Chapter 19.24. Office Zoning Districts
34. Chapter 19.26. Combining Zoning Districts
35. Chapter 19.28. Downtown Specific Plan
36. Chapter 19.46. Off-Street Parking & Loading
37. Chapter 19.56. Solar Access
38. Chapter 19.66. Affordable Housing
39. Chapter 19.72. Conversion of Mobile Home Parks to Other Uses
40. Chapter 19.94. Tree Preservation
41. Chapter 19.96. Heritage Preservation

**Specific Plans**

42. El Camino Real Precise Plan
43. Lockheed Site Master Use Permit
44. Moffett Field Comprehensive Use Plan
45. 101 & Lawrence Site Specific Plan
46. Southern Pacific Corridor Plan

**Environmental Impact Reports**

47. Futures Study Environmental Impact Report
48. Lockheed Site Master Use Permit Environmental Impact Report
49. Tasman Corridor LRT Environmental Impact Study (supplemental)
50. Kaiser Permanente Medical Center Replacement Center Environmental Impact Report (City of

Santa Clara)

51. Downtown Development Program Environmental Impact Report
52. Caribbean-Moffett Park Environmental Impact Report
53. Southern Pacific Corridor Plan Environmental Impact Report

**Maps**

54. City of Sunnyvale Aerial Maps
55. Flood Insurance Rate Maps (FEMA)
56. Santa Clara County Assessors Parcel
57. Utility Maps (50 scale)

**Lists/Inventories**

58. Sunnyvale Cultural Resources Inventory List
59. Heritage Landmark Designation List
60. Santa Clara County Heritage Resource Inventory
61. Hazardous Waste & Substances Sites List (State of California)
62. List of Known Contaminants in Sunnyvale

**Legislation/Acts/Bills/Codes**

63. Subdivision Map Act
64. Uniform Fire Code, including amendments per SMC adoption
65. National Fire Code (National Fire Protection Association)
66. Title 19 California Administrative Code
67. California Assembly Bill 2185/2187 (Waters Bill)
68. California Assembly Bill 3777 (La Follette Bill)
69. Superfund Amendments & Reauthorization Act (SARA) Title III

**Transportation**

70. California Department of Transportation Highway Design Manual
71. California Department of Transportation Traffic Manual
72. California Department of Transportation Standard Plan
73. California Department of Transportation Standard Specification
74. Institute of Transportation Engineers - Trip Generation
75. Institute of Transportation Engineers Transportation and Traffic Engineering Handbook
76. U.S. Dept. of Transportation Federal Highway Admin. Manual on Uniform Traffic Control Devices for Street and Highways
77. California Vehicle Code
78. Traffic Engineering Theory & Practice by L. J. Pegnataro
79. Santa Clara County Congestion Management Program and Technical Guidelines
80. Santa Clara County Transportation Agency Short Range Transit Plan
81. Santa Clara County Transportation Plan
82. Traffic Volume Studies, City of Sunnyvale Public

- works Department of Traffic Engineering Division
- 84. Santa Clara County Sub-Regional Deficiency Plan
- 85. Bicycle Plan

**Public Works**

- 86. Standard Specifications and Details of the Department of Public Works
- 87. Storm Drain Master Plan
- 88. Sanitary Sewer Master Plan
- 89. Water Master Plan
- 90. Solid Waste Management Plan of Santa Clara County
- 91. Geotechnical Investigation Reports
- 92. Engineering Division Project Files
- 93. Subdivision and Parcel Map Files

**Miscellaneous**

- 94. Field Inspection
- 95. Environmental Information Form
- 96. Annual Summary of Containment Excesses (BAAQMD)
- 97. Current Air Quality Data
- 98. Chemical Emergency Preparedness Program (EPA) Interim Document in 1985?
- 99. Association of Bay Area Governments (ABAG) Population Projections

- 100. Bay Area Clean Air Plan
- 101. City-wide Design Guidelines
- 102. Industrial Design Guidelines

**Building Safety**

- 103. Uniform Building Code, Volume 1, (Including the California Building Code, Volume 1)
- 104. Uniform Building Code, Volume 2, (Including the California Building Code, Volume 2)
- 105. Uniform Plumbing Code, (Including the California Plumbing Code)
- 106. Uniform Mechanical Code, (Including the California Mechanical Code)
- 107. National Electrical Code (Including California Electrical Code)
- 108. Title 16 of the Sunnyvale Municipal Code

**Additional References**

- 109. USFWS/CA Dept. F&G Special Status Lists
- 110. Project Traffic Impact Analysis
- 111. Project Description
- 112. Project Development Plans
- 113. Santa Clara County Airport Land Use Plan
- 114. Federal Aviation Administration

## **Attachment H:**

### Developer Outreach List

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Zoning Tools to Encourage the Development of Ownership Housing

**Developer Outreach List**

|    | <b>Company</b>          |
|----|-------------------------|
| 1  | Taylor Woodrow          |
| 2  | Olson Company           |
| 3  | Centex Homes            |
| 4  | Toll Brothers           |
| 5  | Regis Homes             |
| 6  | Regis Homes             |
| 7  | Classic Communities     |
| 8  | Pulte Homes             |
| 9  | KB Homes                |
| 10 | KB Homes                |
| 11 | Sobrato                 |
| 12 | Sobrato                 |
| 13 | Yamaoka                 |
| 14 | Irvine                  |
| 15 | Barry Swenson           |
| 16 | Pacific Peninsula Group |
| 17 | The Riding Group        |

# **Attachment I:**

## **Proposed Ordinance**

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## ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY  
OF SUNNYVALE AMENDING PORTIONS OF TITLE 19  
(ZONING) OF THE SUNNYVALE MUNICIPAL CODE  
RELATING TO ZONING TOOLS TO ENCOURAGE THE  
DEVELOPMENT OF OWNERSHIP HOUSING

THE CITY COUNCIL OF THE CITY OF SUNNYVALE DOES ORDAIN AS  
FOLLOWS:

SECTION 1. SECTION 19.12.080 AMENDED. Section 19.12.080 of the Sunnyvale  
Municipal Code is hereby amended to read, as follows:

**19.12.080. "G"**

(1)-(6) [Text unchanged.]

(7) "Gross floor area" means the following:

(a) Single-family Residential Uses. The sum of the areas computed from the outside dimensions of a building, including supporting columns and unsupported wall projections (~~except eaves; uncovered balconies, porches and stairways; landing places; fireplaces and similar architectural features~~except for: eaves, uncovered balconies, uncovered porches, covered porches on the ground floor, uncovered stairways, fire escapes, landing places, fireplaces, and similar architectural features) for each floor. Garages are included in floor area calculations. Basement area may be exempt from the calculation as long as it is located no higher than two feet above grade.

(b) Commercial, Industrial, Multifamily and Other Uses. The sum of the areas computed from the outside dimensions of a building, including corridors, supporting columns and unsupported wall projections (~~except eaves; uncovered balconies, porches and stairways; fire escapes; landing places; fireplaces~~except for: eaves, uncovered balconies, uncovered porches, covered porches on the ground floor, uncovered stairways, fire escapes, landing places, fireplaces, and similar architectural features) for each floor including mezzanine floors and enclosed and unenclosed roofed patios where the roof is more than fifty percent solid.

SECTION 2. SECTION 19.12.130 AMENDED. Section 19.12.130 of the Sunnyvale  
Municipal Code is hereby amended to read, as follows:

**19.12.130. "L"**

(1)- (10) [Text unchanged.]

(11) "Lot" means a parcel of land in one ownership ~~with frontage on a public street which is~~ used or capable of being used under the provisions of this title in the zoning district in which it is situated, and has frontage on a public street, or on: (i) a private street which has access to a public street, provided the

street is delineated as a separate lot or easement for vehicular access, or (ii) an ingress/egress access easement.

(a) "Corner lot" means a lot located at the intersection of two or more streets with a lot line on two or more of such streets.

(b) "Corridor or flag lot" means an interior lot on which the buildable area is located to the rear of a lot abutting the street, and which has access to the same street by means of a narrow driveway.

(c) "Interior lot" means any lot other than a corner lot.

(12)-(15) [Text unchanged.]

**SECTION 3. SECTION 19.30.020 AMENDED.** Section 19.12.080 of the Sunnyvale Municipal Code is hereby amended to read, as follows:

**19.30.020. Required lot area and width.**

Lot area and width shall be according to the provisions set forth in Table 19.30.020, except that all lots located within the DSP district shall conform to provisions set forth in Chapter 19.28.

**TABLE 19.30.020**  
**Required Net Lot Area and Width**

| Zoning District | Lot Area Minimum (Square feet) | Lot Area Per Dwelling Unit (Square Feet) | Lot Width at Minimum Front Yard Setback Corner (Feet) | Lot Width at Minimum Front Yard Setback Interior (Feet) | Lot Width at Minimum Front Yard Setback Cul-de-sac <sup>1</sup> (Feet) |
|-----------------|--------------------------------|--|---|---|--|
| R-0             | 6,000                          | 6,000                                    | 62  | 57  | 45   |
| R-1             | 8,000                          | 8,000                                    | 82  | 76  | 45   |
| R-1.5           | 4,200                          | 4,200                                    | 45  | 42  | 40   |
| R-1.7/PD        | 2,600 <sup>2</sup>             | 2,600                                    | 3   | 3   | 3  |
| R-2             | 8,000                          | 3,600                                    | 82 <sup>1</sup>                                       | 76 <sup>1</sup>   | 60 <sup>1</sup>  |
| R-3             | 8,000                          | 1,800                                    | 82 <sup>1</sup>                                       | 120 <sup>1</sup>  | 60 <sup>1</sup>  |
| R-4             | 8,000                          | 1,200                                    | 82 <sup>1</sup>                                       | 120 <sup>1</sup>  | 60 <sup>1</sup>  |
| R-5             | 8,000                          | 950                                      | 82  | 76  | 60   |
| R-MH            | 9 Acres                        | 1,500 <sup>4</sup>                       | None  | None  | None   |
| R-MH            | 9 Acres                        | 1,800 <sup>5</sup>                       | None  | None  | None   |
| O <sup>6</sup>  | 8,000                          | 3,600                                    | 82  | 76  | 60   |
| P-F             | None                           | None                                     | None  | None  | None   |
| C-1             | None                           | None                                     | None  | None  | None   |

|     |        |      |      |      |      |
|-----|--------|------|------|------|------|
| C-2 | None   | None | None | None | None |
| C-3 | None   | None | None | None | None |
| C-4 | None   | None | None | None | None |
| M-S | 22,500 | None | 100  | 100  | 80   |
| M-3 | 22,500 | None | 100  | 100  | 80   |

- <sup>1</sup> Also applicable to lots on the exterior side of a street with a centerline radius of four hundred feet or less.
- <sup>2</sup> Maximum lot area shall not exceed four thousand square feet. A minimum site area of two acres is also required.
- <sup>3</sup> As determined by planned development requirements. A minimum site area of 2.0 acres also required.
- <sup>4</sup> 1,500 square feet nonexpandable mobile home.
- <sup>5</sup> 1,800 square feet expandable mobile home.
- <sup>6</sup> A minimum site area of 40,000 square feet (net) also required.
- <sup>7</sup> Lot sizes and lot widths less than the minimum required may be allowed provided that overall density is consistent with the zoning district.

**SECTION 4. SECTION 19.32.020 AMENDED.** Section 19.32.020 of the Sunnyvale Municipal Code is hereby amended to read, as follows:

**19.32.020. Building height and lot coverages.**

Building height and lot coverages shall be according to the provisions set forth in Table 19.32.020, except that all lots located within the DSP district shall conform to provisions set forth in Chapter 19.28.

**TABLE 19.32.020**  
**Building Height, Lot Coverage and Floor Area Ratio**

| Zoning District | Building Stories | Building Feet   | Lot Coverage (%) | Floor Area Ratio (FAR) (%)   |
|-----------------|------------------|-----------------|------------------|--|
| R-0             | 2                | 30              | 45               | 45% FAR or 4,050 sq. ft. of gross floor area, whichever is less <sup>6</sup> |
| R-1             | 2                | 30              | 45               | 45% FAR or 4,050 sq. ft. of gross floor area, whichever is less <sup>6</sup> |
| R-1.5           | 2                | 30 <sup>1</sup> | 40               | 50   |
| R-1.7/PD        | 2                | 30              | 40               | 50   |

|   |                     |                     |                     |  |
|---|---------------------|---------------------|---------------------|--|
| R-2 (single-family dwellings)                     | 2                   | 30                  | 40                  | 45% FAR or 4,050 sq. ft. of gross floor area, whichever is less <sup>6</sup> |
| R-2 (all uses other than single-family dwellings) | 2                   | 30                  | 45                  | 55 <sup>6</sup>  |
| <u>R-3 Townhomes</u>                              | <u>3</u>            | <u>35</u>           | <u>40</u>           |  |
| R-3 (all other uses)                              | 2                   | 30                  | 40                  |  |
| R-4   | 4                   | 55                  | 40                  |  |
| R-5   | 4                   | 55                  | 40                  |  |
| R-MH  | 2                   | 30                  | None                |  |
| O   | 2                   | 30                  | 40                  |  |
| P-F   | 2                   |                     |                     |  |
| DSP   | See Table 19.28.170 | See Table 19.28.170 | See Table 19.28.170 | See Table 19.28.170  |
| C-1   | 2                   | 40                  | 35                  |  |
| C-2   | 8                   | 75 <sup>5</sup>     | 35                  | 55 (Future Site D) as described in Section 19.32.070(c)(3)                   |
| C-3   | 8                   | 75 <sup>4</sup>     | 35                  |  |
| C-4   | 2                   | 40                  | 35                  |  |
| M-S   | 8                   | 75                  | 45                  | 35 <sup>5,7</sup>  |
| M-3   | 8                   | 75                  | 45                  | 35 <sup>5,7</sup>  |

- <sup>1</sup> Walls facing the side yards cannot exceed twelve feet in height within twelve feet of the side property lines. Second story wall height is limited to twenty-one feet, exclusive of pitched roof structure.
- <sup>2</sup> One-half foot shall be added to the front, side and rear yard setbacks for each foot that the building exceeds the maximum height allowed in the most restrictive abutting district.
- <sup>3</sup> Coverage shall not exceed the maximum structural coverage in the most restrictive zoning district abutting this district.
- <sup>4</sup> Hotels and motels may exceed seventy-five feet if allowed by use permit.
- <sup>5</sup> Fifty percent FAR for commercial storage or warehousing, Section 19.32.070(d).  
One hundred percent FAR for Future Site B, as described in Section 19.32.070(c)(1).  
Seventy percent FAR for Future Site C, as described in Section 19.32.070(c)(2).  
Fifty percent FAR for Future Site E, as described in Section 19.32.070(c)(4).
- <sup>6</sup> Applications for residences which exceed the FAR set forth in this table shall be considered pursuant to Section 19.80.040(c).
- <sup>7</sup> 5% FAR bonus for green buildings may apply. See Section 19.32.075.

**SECTION 5. SECTION 19.32.040 AMENDED.** Section 19.32.040 of the Sunnyvale Municipal Code is hereby amended to read, as follows:

**19.32.040. Building heights—Distance from property line.**

(a) Except as otherwise provided in subsection (b), the height of buildings constructed or erected in any ~~multiple family residential~~, commercial or industrial zoning district within seventy-five feet of the property line of property in a single-family residence zoning district shall not exceed twenty feet in the event existing buildings on the adjacent lot are one story or thirty feet if the existing buildings are two story or the lot is undeveloped.

(b) The height of single-family dwellings and townhomes constructed in any multiple family residential zoning district adjacent to a single-family residence zoning district shall not exceed the following:

(1) thirty feet in height, up to a maximum of two stories, for rear yard setbacks that are between twenty feet and forty feet;

(2) thirty-five feet in height, up to a maximum of three stories, for rear yard setbacks that are greater than forty feet;

(3) thirty feet in height, up to a maximum of two stories, for side yard setbacks that are between six and nine feet; and

(4) thirty-five feet in height, up to a maximum of three stories, for side yard setbacks that are greater than nine feet.

**SECTION 6. SECTION 19.34.030 AMENDED.** Section 19.34.030 of the Sunnyvale Municipal Code is hereby amended to read, as follows:

**19.34.030. Required yards.**

Yards shall be required as set forth in Table 19.34.030, except that all lots located within the DSP district shall conform to provisions set forth in Chapter 19.28.

**TABLE 19.34.030  
Required Yards**

| Zoning District | Front Yard Minimum | Front Yard Average | Side Yards <sup>5</sup> Total <sup>1</sup> | Side Yards <sup>5</sup> One Side | Rear Yard |
|-----------------|--------------------|--------------------|--|----------------------------------|-----------|
| R-0             | 15 <sup>2</sup>    | 20                 | 12   | 4                                | 20        |
| R-1             | 15 <sup>2</sup>    | 20                 | 15   | 6                                | 20        |
| R-1.5           | 20 <sup>6</sup>    | 20                 | 12 <sup>6</sup>                            | 4                                | 20        |
| R-1.7           | 15 <sup>6</sup>    | 20                 | 12 <sup>6</sup>                            | 4                                | 20        |
| R-2             | 15 <sup>2,6</sup>  | 20                 | 12 <sup>6</sup>                            | 4                                | 20        |
| R-3             | 15 <sup>2,6</sup>  | 20                 | 15 <sup>6</sup>                            | 6 <sup>6</sup>                   | 20        |
| R-4             | 20 <sup>2</sup>    | None               | 20   | 9                                | 20        |
| R-5             | 20 <sup>2</sup>    | None               | 20   | 9                                | 20        |
| R-MH            | None               | None               | None                                       | None                             | None      |
| O               | 20                 | None               | 15   | 6                                | 20        |

| P-F | 3               | 3                 | 3                 |                   |                   |
|-----|-----------------|-------------------|-------------------|-------------------|-------------------|
| C-1 | 70 <sup>4</sup> | None <sup>4</sup> | None <sup>4</sup> | None <sup>4</sup> | None <sup>4</sup> |
| C-2 | 70 <sup>4</sup> | None <sup>4</sup> | None <sup>4</sup> | None <sup>4</sup> | None <sup>4</sup> |
| C-3 | 70 <sup>4</sup> | None <sup>4</sup> | None <sup>4</sup> | None <sup>4</sup> | None <sup>4</sup> |
| C-4 | 20 <sup>4</sup> | None <sup>4</sup> | None <sup>4</sup> | None <sup>4</sup> | None <sup>4</sup> |
| M-S | 25 <sup>4</sup> | None <sup>4</sup> | 20 <sup>4</sup>   | None <sup>4</sup> | None <sup>4</sup> |
| M-3 | 25 <sup>4</sup> | None <sup>4</sup> | 20 <sup>4</sup>   | None <sup>4</sup> | None <sup>4</sup> |

#### Footnotes

- <sup>1</sup> Combined total of the two side yards added together.
- <sup>2</sup> For single lot development, including proposed additions, the minimum setback must meet the average figure.
- <sup>3</sup> The minimum front yard, side yards and rear yard required in this district shall be equal to those required in the most restrictive abutting zoning district. One-half foot shall be added to each yard for each foot that the building exceeds the maximum height allowed in the most restrictive abutting district.
- <sup>4</sup> Increased setbacks for commercial or industrial zoned properties may also be required by Sections 19.34.070 or 19.34.110.
- <sup>5</sup> Increased setbacks for multiple stories may also be required by Section 19.34.080.
- <sup>6</sup> For single-family dwelling and townhome developments, the minimum front yard setback may be twelve feet on private drives or private streets and the minimum side yard setback may be four feet with a total side yard of ten feet.

**SECTION 7. SECTION 19.38.040 AMENDED.** Section 19.38.040 of the Sunnyvale Municipal Code is hereby amended to read, as follows:

#### **19.38.040. Storage space for multiple family residential.**

A minimum of three hundred cubic feet (interior dimensions) of separate, lockable and weatherproof storage space shall be provided for each dwelling unit of a residential development consisting of three or more units and located in R-3, R-4, R-5, commercial or industrial zones. Each storage space shall be accessible from a patio, deck, hallway, the exterior of a dwelling unit, or via a separate structure. Attic area shall not be calculated as storage space. A two-car garage meeting the minimum area and dimensions may satisfy the lockable storage requirement.

**SECTION 8. SECTION 19.46.110 AMENDED.** Section 19.46.110 of the Sunnyvale Municipal Code is hereby amended to read, as follows:

#### **19.46.110. Parking spaces—Direct access required—Exceptions.**

All parking spaces, except as described in section 19.46.115, ~~spaces for single-family dwellings and residential mobile home park sites,~~ shall have direct access to a public or private roadway at all times. ~~Single-family dwellings and~~

~~two family dwellings located on lots on which additional dwellings are not permitted, and residential mobile home park sites may use tandem parking for each living unit.~~

**19.46.115. Parking Spaces-Tandem-Exceptions**

Tandem parking is not permitted to meet minimum off-street parking requirements, except as described below:

- (a) Mobile home park sites
- (b) Required uncovered parking spaces located on driveway aprons in single-family dwellings in front of covered parking
- (c) Single-family dwellings and townhomes in developments located within 1/3 of a mile of a major transit stop, may use one tandem parking space for each of up to ten percent (10%) of the dwelling units to satisfy minimum parking requirement, if Transportation Demand Management (TDM) techniques are implemented.

**SECTION 9.** SECTION 19.66.020 AMENDED. Section 19.66.020 of the Sunnyvale Municipal Code is hereby amended to read, as follows:

**19.66.020. General requirements.**

(a) All residential developments consisting of nine or more parcels or dwelling units designed and intended for permanent occupancy located in any zoning district other than R-0, R-I, R-1.5 or R-1.7/PD shall maintain below market rate units according to the terms of this chapter and as more fully outlined in the administrative procedures promulgated by the director of community development.

(1) For ownership units, twelve and one-half percent of the total number of dwelling units or parcels within the development shall be maintained as below market rate. The foregoing requirement shall be applied no more than once to a given development, regardless of changes in the character or ownership of the development, with the exception that all new condominium conversions of five or more units shall maintain ~~twelve and one-half~~ fifteen percent of the total number of dwelling units as below market rate pursuant to section 19.70.050.

(2)-(3)(h) [Text unchanged.]

**SECTION 10.** SECTION 19.70.020 AMENDED. Section 19.70.020 of the Sunnyvale Municipal Code is hereby amended to read, as follows:

**19.70.020. ~~Apartment vacancy surplus~~ Findings required for conversion.**

No use permit or special development permit for conversion of apartment to community housing units shall be approved, nor shall the conversion of any apartment project to a community housing project be approved if the total number of units for the past twelve months has exceeded three hundred, unless a finding can be made that "the conversion will not adversely impact the community's ability to provide housing for all economic segments of the community.", unless and until there has existed, for the period of at least one year preceding such

~~application, an apartment vacancy surplus determined pursuant to the procedure set forth in this chapter.~~

**SECTION 11. SECTION 19.70.050 AMENDED.** Section 19.70.050 of the Sunnyvale Municipal Code is hereby amended to read, as follows:

**19.70.050. Minimum requirements.**

In addition to the other provisions of this title, each project approved for conversion shall comply with the following minimum requirements:

(a)-(e) [Text unchanged.]

(f) If the conversion involves five or more units, Below Market Rate Units shall be required as part of the conversion. The percentage of BMR units required shall be fifteen percent of the units converted, with any fraction of a unit being rounded up to the next largest number.

**SECTION 12. CEQA-NEGATIVE DECLARATION.** The City Council hereby determines that the Negative Declaration prepared for this ordinance has been completed in compliance with the requirements of the California Environmental Quality Act (CEQA) and reflects the independent judgment of the City, and finds that adoption of the ordinance will have no significant negative impact on the area's resources, cumulative or otherwise. The Director of Community Development shall file a Notice of Determination with the County Clerk pursuant to CEQA guidelines. Any future project that may benefit from these changes will still need to undergo its own environmental review, if required by CEQA, and potential impacts may be determined at that time.

**SECTION 13. EFFECTIVE DATE.** This ordinance shall be in full force and effect thirty (30) days from and after the date of its adoption.

**SECTION 4. POSTING AND PUBLICATION.** The City Clerk is directed to cause copies of this ordinance to be posted in three (3) prominent places in the City of Sunnyvale and to cause publication once in The Sun, the official newspaper of the City of Sunnyvale, of a notice setting forth the date of adoption, the title of this ordinance, and a list of places where copies of this ordinance are posted, within fifteen (15) days after adoption of this ordinance.

Introduced at a regular meeting of the City Council held on \_\_\_\_\_, 2006, and adopted as an ordinance of the City of Sunnyvale at a regular meeting of the City Council held on \_\_\_\_\_, 2006, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:



ATTEST:

APPROVED:

\_\_\_\_\_  
City Clerk  
SEAL

\_\_\_\_\_  
Mayor

APPROVED AS TO FORM AND LEGALITY:

\_\_\_\_\_  
David E. Kahn, City Attorney

**Attachment J:**

Proposed Policy

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### **Proposed New Policy**

The staff recommendation includes adopt the following new policy:

**“Strive to achieve an equal balance of ownership and rental units in the community.”**

This policy may be incorporated into the *Land Use and Transportation Element* of the City’s General Plan in its next revision.

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